



BOARD OF COUNTY COMMISSIONERS SHELBY COUNTY, TENNESSEE

AGENDA

Monday, August 31, 2009

Commissioner Deidre Malone, Chairman
Commissioner Joyce Avery, Chairman Pro Tempore
Commissioner Henri E. Brooks
Commissioner Wyatt Bunker
Commissioner Mike Carpenter
Commissioner Sidney Chism
Commissioner George Flinn

Commissioner Joe Ford
Commissioner J.W. Gibson II
Commissioner James Harvey
Commissioner Matt Kuhn
Commissioner Steve Mulroy
Commissioner Mike Ritz

8/28/2009 1:39 PM

1:30 PM

COMMISSION CONVENES

CALL TO ORDER

Chairman Deidre Malone

OPENING OF THE COMMISSION

Deputy Sheriff

INVOCATION

**Reverend Bartholomew Orr, Senior
Pastor
Brown Missionary Baptist Church**

PLEDGE OF ALLEGIANCE

ROLL CALL

Approval of Minutes of Previous Session
July 13, 2009

CONSENT AGENDA

Resolutions of Memorial, Sympathy and Commendation

1. A Resolution of the Shelby County Board of Commissioners commending Commissioner Mike Ritz for exemplary community volunteer service. Sponsored by Commissioner George Flinn.
2. Resolution to celebrate the centennial of the Shelby County Courthouse. Sponsored by Commissioner Steve Mulroy.

Ordinances

FORD
Chairman, General
Government
Committee

3. [ORDINANCE - SECOND READING - An ordinance to adopt Supplement No. 36 to the Code of Ordinances of Shelby County, Tennessee. Sponsored by Commissioner Joe Ford.](#)

Zoning and Subdivisions

RITZ
Chairman, Land Use
Committee

4. [A resolution to rescind item number 7 adopted June 25, 2007 captioned: RESOLUTION TO APPROVE THE AGREEMENT TO SECURE THE IMPROVEMENTS TO BEACON RIDGE PD, PHASE 1 \(P.D. 06-350 CC\) AND AUTHORIZE THE RECORDING OF THE PLAT WHEN BONDING PROCEDURES HAVE BEEN FULFILLED; CANCELLING THE RESULTING CONTRACT; AND RETURNING THE DEVELOPER'S LETTER OF CREDIT. Sponsored By Commissioner Mike Ritz](#)

Reports and/or Resolutions for Standing Committees

BUNKER

Chairman, Public
Works Committee

5. [A resolution approving a contract with White Contracting, Inc. in the amount of \\$620,821.00 and \\$62,082.10 for an extra work allowance for a total amount of \\$682,903.10 for improvements to the intersection of Canada Road and Interstate 40 and to the intersection of Raleigh LaGrange Road at Dexter Road using Federal Funds from the Congestion Management Air Quality Program. This item requires an expenditure of Federal Grant Funds in the amount of \\$682,903.10. Sponsored by Commissioner Wyatt Bunker. \(AMENDED IN COMMITTEE 8/26/09\)](#)

BUNKER

Chairman, Public
Works Committee

6. [A resolution approving a contract with White Contracting, Inc. in the amount of \\$345,523.40 and \\$34,552.34 for an extra work allowance for a total amount of \\$380,075.74 for improvements to the intersection of Germantown Road and Farmington Road using Federal Funds from the Congestion Management Air Quality Program. This item requires an expenditure of Federal Grant Funds in the amount of \\$380,075.74. Sponsored by Commissioner Wyatt Bunker. \(AMENDED IN COMMITTEE 8/26/09\)](#)

BUNKER

Chairman, Public
Works Committee

7. [A resolution approving a contract in the amount of \\$638,992.00 and \\$63,899.00 for extra work allowance for a total amount of \\$702,891.00 with US Construction, LLC for installation of a low pressure sanitary sewer system in the Cotton Creek area of Shelby County; and amending the FY 2009-2010 Capital Projects Budget; and this item requires an expenditure of CIP Funds in the amount of \\$702,891.00. Sponsored by Commissioner Wyatt Bunker.](#)

CHISM

Chairman, Law
Enforcement
Committee

8. Resolution approving purchase of a fire engine pumper in the amount of \$357,102.00 for the Shelby County Fire Department, approving amendment of FY 2009-2010 budget, and approving expenditure of funds in the amount of \$357,102.00 to Ferrara Fire Apparatus Inc. For said fixed asset purchase, with the source of funds to be planned use of fund balance from the Fire Services Fund. This resolution is sponsored by Commissioner Sidney Chism.

CHISM

Chairman, Law
Enforcement
Committee

9. Resolution approving a contract between the District Attorney General's Office and Trust Marketing in the amount of \$150,000 for the provision of the Operation Safe Community; a coordinated law enforcement initiative. This item Requires expenditure of Federal Grant Funds in the amount of \$150,000. Sponsored by Commissioner Sidney Chism.

CHISM

Chairman, Law
Enforcement
Committee

10. Resolution amending the FY 2009-2010 Operating Budget of the Juvenile Court of Memphis and Shelby County and amending the Position Control Budget to carry forward remaining State of Tennessee Governor's Initiative Grant Funds in the amount of \$63,006.00 for the provision of intensive case management services and to appropriate said funds. This item requires expenditure of State Grant Funds in the amount of \$63,006.00. Sponsored by Commissioner Sidney Chism.

BUNKER

Vice-Chairman,
Conservation
Committee

11. Resolution Approving Management And Operation Agreement For Lowrance Road Park Between Shelby County Government, Shelby County Schools, And Memphis Soccer Education, Inc. Sponsored By Commissioner Mike Carpenter. (AMENDED IN COMMITTEE 8/26/09)

FORD

Chairman, General
Government
Committee

12. [Resolution amending the FY 2010 Operating Budget of the Shelby County Election Commission to provide funding in the amount of \\$1,000,000 for the City of Memphis special election for the office of City Mayor on October 15, 2009; appropriating said funds; and requesting the City of Memphis reimburse Shelby County for same as required by law. This resolution authorizes the expenditure of \\$1,000,000. Sponsored by Commissioner Joe Ford.](#)

FORD

Chairman, General
Government
Committee

13. [Resolution amending the FY2010 Operating Budget of the Shelby County Election Commission to provide funding in the amount of \\$603,558 for the Special Primary Election on October 15, 2009 and Special General Election on December 1, 2009 to fill the vacancy in Senate District 31 of the Tennessee General Assembly; appropriating said funds; and requesting the State treasury to reimburse Shelby County for same as required by law. This resolution authorizes the expenditure of \\$603,558. Sponsored by Commissioner Joe Ford. \(ADD-ON IN COMMITTEE 8/26/09\)](#)

R E G U L A R A G E N D A

Elections, Appointments, and Confirmations

FORD

Chairman, General
Government
Committee

14. [Resolution appointing Jeremy L. Jones to the Shelby County Beer Board. Sponsored by Commissioner Matt Kuhn.](#)

FORD

Chairman, General
Government
Committee

15. [Resolution approving the County Mayor's nomination of Leigh "Lila" Hood for appointment to the Memphis and Shelby County Music Commission. Sponsored by Commissioner Joe Ford.](#)

FORD

Chairman, General
Government
Committee

16. [Resolution approving the County Mayor's nomination of David Peck for joint City-County reappointment to the New Memphis Arena Public Building Authority of Memphis and Shelby County, Tennessee. Sponsored by Commissioner Joe Ford. \(SENT FROM COMMITTEE WITHOUT RECOMMENDATION\)](#)

FORD

Chairman, General
Government
Committee

17. Resolution approving the County Mayor's nomination of Julie Raines for joint City-County Reappointment to the New Memphis Arena Public Building Authority of Memphis and Shelby County, Tennessee. Sponsored by Commissioner Joe Ford. (SENT FROM COMMITTEE WITHOUT RECOMMENDATION)

FORD

Chairman, General
Government
Committee

18. Resolution approving the County Mayor's nomination of Johnnie Turner for Joint City-County reappointment to the New Memphis Arena Public Building Authority of Memphis and Shelby County, Tennessee. Sponsored by Commissioner Joe Ford.

FORD

Chairman, General
Government
Committee

19. Resolution approving the County Mayor's nomination of Luke T. Connable, Jr., Odell Johnson, Jr. and William M. Hunt for appointment to the Memphis and Shelby County Cross Connection Board. Sponsored by Commissioner Joe Ford. (AMENDED IN COMMITTEE 8/26/09)

FORD

Chairman, General
Government
Committee

20. Resolution approving Brandy Johnson-Ward for joint City-County appointment to the Memphis and Shelby County Center City Revenue Finance Corporation. Sponsored by Commissioner Joe Ford.

FORD

Chairman, General
Government
Committee

21. Resolution approving the election of notaries public for appointment and/or reappointment for Shelby County, Tennessee. Sponsored by Commissioner Joe Ford.

Ordinances**CHISM**

Chairman, Law
Enforcement
Committee

22. ORDINANCE - THIRD READING (AMENDED) - An Ordinance to amend Chapter 7, Article XI, of the Code of Ordinances of Shelby County, Tennessee, relative to security alarm services. Sponsored by Commission Sidney Chism.

HARVEY
Chairman, Economic
Development
Committee

23. ORDINANCE - THIRD READING - An Ordinance amending Part 2, Chapter 16, Article VI, Section 135 of the Code of Ordinances of Shelby County, Tennessee to decrease the membership of the Board of Directors of the Center City Commission. Sponsored by Chairman Deidre Malone.

FORD
Chairman, General
Government
Committee

24. ORDINANCE - THIRD READING - An Ordinance approving and setting the salary and expense account for members of the Board of County Commissioners for the 2010-2014 term of office. Sponsored by Commissioner Joe Ford.

FORD
Chairman, General
Government
Committee

25. ORDINANCE - THIRD READING - An Ordinance approving and setting the salary of the Mayor of Shelby County for the 2010-2014 term of office. Sponsored by Commissioner Joe Ford. (AMENDED IN COMMITTEE 8/26/09)

Zoning and Subdivisions

Reports and/or Resolutions for Standing Committees

BUNKER
Chairman, Public
Works Committee

26. Resolution to appropriate Federal Grant Funds in the amount of \$204,850.00 from the Delta Regional Authority and \$36,150.00 in matching funds from the FY 2009-2010 Operating Budget, account no. 010-300101-6665, for a total amount of \$241,000.00 for the acquisition and related costs of sewer easements for the installation of a sanitary sewer system in the Brunswick Community. This resolution requires the expenditure of Federal Grant Funds in the amount of \$204,850.00 and FY 2009-2010 Operating Budget Funds in the amount of \$36,150.00 for a total expenditure of \$241,000. Sponsored by Commissioner Wyatt Bunker. (AMENDED IN COMMITTEE 8/26/09)

MULROY

Acting Chairman,
Community Services
Committee

27. Resolution to approve a contract amendment with United Way of the Mid-South increasing encumbrance in the amount of \$3,129,322.00 for administrative costs and service provider contracts for the purpose of administering HIV Emergency Relief Project grants for the period of April 1, 2009 – February 28, 2010. This item requires expenditure of federal grant funds in the amount of \$3,129,322.00. Sponsored by Commissioner George Flinn.

FORD

Chairman, General
Government
Committee

28. Resolution by the Board of Commissioners of Shelby County, Tennessee establishing a Metropolitan Government Charter Commission; authorizing the County Mayor to appoint members; establishing a vetting process; requesting the City Council adopt a similar resolution; amending the FY 2010 Operating Budget; and appropriating funds. This resolution authorizes the expenditure of County General Funds in an amount not to exceed \$50,000. Sponsored by Chairman Deidre Malone.

Announcements/Statements**Adjournment**

29. Resolution of adjournment to Monday, September 14, 2009 at 1:30 p.m.